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Lodi City Clerk
P.O. Box 3006
Lodi, CA 95241-1910

RESOLUTION NO. 2004-03

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING THE ADDENDUM
TO THE IMPROVEMENT AGREEMENT FOR THE PUBLIC IMPROVEMENTS
OF ALMONDWOOD ESTATES, TRACT NO. 3273; AND FURTHER
AUTHORIZING THE CITY MANAGER TO EXECUTE AN ADDENDUM TO THE
IMPROVEMENT AGREEMENT ON BEHALF OF THE CITY OF LODI

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WHEREAS, the Almondwood Estates Subdivision is located north of Almond Drive and east of Stockton Street and was approved by the City Council on June 4, 2003; and

WHEREAS, as a condition of development, the developer, KB Home North Bay, Inc., is required to complete the installation of street frontage improvements along Stockton Street; and

WHEREAS, due to the deteriorated conditions of the existing pavement in Stockton Street, staff is recommending that the existing pavement along the project frontage be removed and replaced to the centerline of the street; and

WHEREAS, the developer has agreed to perform this work and is eligible for reimbursement by the City for the work in conformance with Lodi Municipal Code §16.40 "Reimbursement for Construction," at a cost of \$48,070.00, which includes 10% for engineering and administration costs; and

WHEREAS, the developer is also required to install a reverse frontage masonry wall with landscaping and irrigation on Stockton Street and Almond Drive and street trees in the parkways along the interior subdivision streets; and

WHEREAS, the developer paid a one-time fence and landscape maintenance and replacement fee in the amount of \$76,244.00 to cover the ongoing maintenance costs for those improvements prior to approval of the final map; and

WHEREAS, the developer has elected to form the Almondwood Estates District Zone 1 Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 to finance those costs, which was approved by the City Council on August 20, 2003; and

WHEREAS, the one-time maintenance and replacement fee has been refunded to the developer, and since the City will not receive payment from the District until January 2005, the developer is required to provide maintenance and replacement for those improvements until that time; and

WHEREAS, staff recommends that the City Council take the following action with regard to Almondwood Estates, Tract No. 3273:

1. Approve the Addendum to the Improvement Agreement for the Public Improvements of Almondwood Estates, Tract No. 3273, and direct the City Manager and City Clerk to execute the Addendum to the Improvement Agreement on behalf of the City; and
2. Appropriate the necessary funds to reimburse the developer for the additional Stockton Street improvements from Local Street Impact Fees.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lodi hereby finds as follows:

1. Approves the Addendum to the Improvement Agreement for the Public Improvements of Almondwood Estates, Tract No. 3273, and directs the City Manager and City Clerk to execute the Addendum to the Improvement Agreement on behalf of the City of Lodi; and
2. Appropriates \$48,070.00 to reimburse the developer for the additional Stockton Street improvements from Local Street Impact Fees.

Dated: January 7, 2004

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I hereby certify that Resolution No. 2004-03 was passed and adopted by the City Council of the City of Lodi in a regular meeting held January 7, 2004, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hitchcock, Howard, Land, and Mayor Hansen

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk